

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AUTHORS GUILD, DAVID BALDACCI,
MARY BLY, MICHAEL CONNELLY,
SYLVIA DAY, JONATHAN FRANZEN,
JOHN GRISHAM, ELIN HILDERBRAND,
CHRISTINA BAKER KLINE, MAYA
SHANBHAG LANG, VICTOR LAVALLE,
GEORGE R.R. MARTIN, JODI PICOULT,
DOUGLAS PRESTON, ROXANA
ROBINSON, GEORGE SAUNDERS,
SCOTT TUROW, and RACHEL VAIL,
individually and on behalf of others similarly
situated,

Plaintiffs,

v.

OPENAI INC., OPENAI OPCO LLC,
OPENAI GP LLC, OPENAI LLC, OPENAI
GLOBAL LLC, OAI CORPORATION LLC,
OPENAI HOLDINGS LLC, OPENAI
STARTUP FUND I LP, OPENAI STARTUP
FUND GP I LLC, OPENAI STARTUP
FUND MANAGEMENT LLC, and
MICROSOFT CORPORATION,

Defendants.

JONATHAN ALTER, KAI BIRD, TAYLOR
BRANCH, RICH COHEN, EUGENE
LINDEN, DANIEL OKRENT, JULIAN
SANCTON, HAMPTON SIDES, STACY
SCHIFF, JAMES SHAPIRO, JIA
TOLENTINO, and SIMON WINCHESTER,
on behalf of themselves and all others
similarly situated,

Plaintiffs,

v.

OPENAI, INC., OPENAI GP, LLC,
OPENAI, LLC, OPENAI OPCO LLC,
OPENAI GLOBAL LLC, OAI
CORPORATION, LLC, OPENAI
HOLDINGS, LLC, and MICROSOFT
CORPORATION,

Defendants.

Case No. 1:23-cv-08292-SHS

Case No. 1:23-cv-10211-SHS

DECLARATION OF RACHEL GEMAN IN SUPPORT OF MOTION FOR VOLUNTARY DISMISSAL OF PLAINTIFF MAYA SHANBHAG LANG

I, Rachel Geman, declare under penalty of perjury pursuant to 18 U.S.C. § 1746, as follows:

1. I am a partner at the law firm of Lieff Cabraser Heimann & Bernstein, LLP.

Along with Susman Godfrey LLP and Cowan DeBaets Abrahams & Sheppard LLP, I serve as Interim Co-Lead Counsel for the Proposed Fiction and Nonfiction Classes in the above-captioned consolidated action.

2. I am making this Declaration in Support of the Plaintiff Maya Lang's Motion for Voluntary Dismissal, pursuant to Rules 41(a)(2) and 21 of the Federal Rules of Civil Procedure.

3. I first reached out to Defendants in connection with Ms. Lang on May 28, 2024, after Ms. Lang informed me of her need to withdraw the previous day.

4. On the first phone call between the parties, I informed counsel for Defendant OpenAI (who subsequently conferred with Co-Defendant Microsoft) in response to counsel's questions that (a) Plaintiffs were seeking consent to a simple withdrawal, not a substitution of a new party, and (b) Defendants had not spent resources on document review or (obviously) depositions.

5. Attached as **Exhibit A** is a true and correct copy of a June 11, 2024 email from OpenAI's Counsel Emma Burgoon to me.

6. Attached as **Exhibit B** is a true and correct copy of a June 12, 2024 email from me to OpenAI's Counsel.

7. Attached as **Exhibit C** is a true and correct copy of a June 12, 2024 email from Ms. Burgoon to Interim Co-Lead Counsel for the Proposed Fiction and Nonfiction Classes.

8. Attached as **Exhibit D** is a true and correct copy of a June 25, 2024 email from me to OpenAI's Counsel.

9. Attached as **Exhibit E** is a true and correct copy of a June 26, 2024 email from OpenAI's Counsel Elena Nightingale Dawson to Interim Co-Lead Counsel for the Proposed Fiction and Nonfiction Classes.

10. Attached as **Exhibit F** is a true and correct copy of a July 1, 2024 email from Plaintiffs' Counsel Wesley Dozier to OpenAI's Counsel.

11. Attached as **Exhibit G** is a true and correct copy of a July 3, 2024 email from Ms. Nightingale Dawson to Interim Co-Lead Counsel for the Proposed Fiction and Nonfiction Classes.

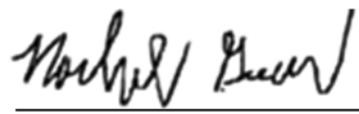
12. Attached as **Exhibit H** is a true and correct copy of a July 12, 2024 email from me to OpenAI's Counsel.

13. Attached as **Exhibit I** is a true and correct copy of a July 18, 2024 email from Ms. Nightingale Dawson to Interim Co-Lead Counsel for the Proposed Fiction and Nonfiction Classes.

14. Attached as **Exhibit J** is a true and correct copy of a July 26, 2024 email from me to OpenAI's Counsel.

15. Attached as **Exhibit K** is a true and correct copy of a July 29, 2024 email from Ms. Nightingale Dawson to Interim Co-Lead Counsel for the Proposed Fiction and Nonfiction Classes.

I declare under penalty of perjury under the laws of the United States and the State of New York that the foregoing is true and correct to the best of my knowledge and that this declaration was executed in New York, New York on July 29, 2024.



Rachel Geman
Rachel Geman